

1 **GAMAGE & GAMAGE**

2 Amy M. Gamage, Esq.  
Nevada Bar No. 009304  
3 William H. Gamage, Esq.  
Nevada Bar No. 009024  
4 1775 Village Center Circle., Suite 190  
Las Vegas, Nevada 89134  
Telephone: (702) 386-9529

5 *Attorneys for Plaintiffs Quatrela Pate and  
Quatrela Pate as Guardian of De'jior Payne*

6 **UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

7 \*\*\*\*\*

8  
9 QUATRELA PATE, individually and as  
Guardian of DE'JIOR PAYNE, a minor

10 Plaintiff,

11 vs.

12 WAL-MART STORES, INC.,

13 Defendant.

14  
15 CASE NO. : 2:12-cv-1377-JAD-PAL

**STIPULATION TO EXTEND TIME  
REGARDING COMPLIANCE WITH THE  
COURT'S ORDER ON DEFENDANT'S  
MOTION TO ENFORCE SETTLEMENT  
(DKT NO. 82)**

**FIRST REQUEST**

**ORDER**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Brenda H. Entzminger,  
17 Esq., counsel for Defendant WAL-MART STORES, INC (hereinafter "Wal-Mart"), and William H.  
18 Gamage, Esq. counsel for Plaintiffs QUATRELA PATE and DE'JIOR PAYNE that the time for  
19 Plaintiffs to comply with the terms of the Court's Order on Defendant's Motion to Enforcement  
20 Settlement be extended ninety (90) days to and including August 11, 2016 based upon the following  
21 good cause:

22 1. On or about April 15, 2016, this Court filed an Order requiring Plaintiffs to do the  
following on or before May 13, 2016:

- 23  
24 a. Complete Wal-Mart's lien-verification form;  
25  
26 b. Execute and Return to Wal-Mart counsel Wal-Mart's standard release for Medicare /  
27  
28 Medicaid recipients; and,

1                   c. Prepare and file with this court a Petition to Compromise Minor's Claim.

2                  2. To date, Plaintiffs have determined there are approximately 36 medical providers with  
3 potential liens; Medicare and Medicaid have potential subrogation liens; and 3 prior attorney's have  
4 asserted liens.

5                  3. On or about April 6, 2016, Counsel began the process of obtaining balance verifications  
6 from all medical providers along with Medicare and Medicaid. Medicare only recently acknowledged  
7 receipt of our letter requesting a subrogation balance on May 2, 2016. Based upon past experience with  
8 Medicare subrogation negotiations, Counsel will not have a balance for another 30-60 days.

9                  4. After receipt of the subrogation balance from Medicare, Plaintiffs' Counsel anticipates  
10 having to justify exclusion of a number of covered medical procedures as not related to this settlement.

11                 5. Plaintiffs' Counsel intends to seek forgiveness of Plaintiffs' subrogation requirements  
12 due to her disability and income status.

13                 6. Counsel for the Parties have conferred on this extension of time (First Request) and are  
14 in agreement.

15                 7. This request for an extension of time is not for purposes of delay or to prejudice any  
16 party.

17                 DATED THIS 13th day of May, 2016

18                 DATED THIS 13th day of May, 2016

19                 PHILLIPS, SPALLAS & ANGSTADT, LLC

20                 GAMAGE & GAMAGE

21                 By: /s/ Brenda H. Entzminger

22                 /s/ William H. Gamage, Esq.

23                 Brenda H. Entzminger

24                 By:

25                 NV Bar No. 9800

26                 William H. Gamage, Esq.

27                 504 South Ninth Street

28                 Nevada Bar No. 009024

               Las Vegas, Nevada 89101

               1775 Village Center Circle., Suite 190

               (702) 938-1510

               Las Vegas, Nevada 89134

               Counsel to Defendant WAL-MART STORES,  
               Inc.

               Telephone: (702) 386-9529

               Attorneys for Plaintiffs Quatrela Pate and  
               Quatrela Pate as Guardian of De'jior Payne

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

QUATRELA PATE, individually and as  
Guardian of DE'JIOR PAYNE, a minor

CASE NO.: 2:12-cv-1377-JAD-PAL

Plaintiff,

VS.

## WAL-MART STORES, INC.,

**Defendant.**

**ORDER ON STIPULATION TO  
EXTEND TIME REGARDING  
COMPLIANCE WITH THE COURT'S  
ORDER ON DEFENDANT'S MOTION  
TO ENFORCE SETTLEMENT (DKT NO.  
82)**

## ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On or about April 15, 2016, this Court filed an Order requiring Plaintiffs to do the following on or before May 13, 2016:

- a. Complete Wal-Mart's lien-verification form;
  - b. Execute and Return to Wal-Mart counsel Wal-Mart's standard release for Medicare / Medicaid recipients; and,
  - c. Prepare and file with this court a Petition to Compromise Minor's Claim.

2. To date, Plaintiffs have determined there are approximately 36 medical providers with potential liens; Medicare and Medicaid have potential subrogation liens; and 3 prior attorney's have asserted liens.

3. On or about April 6, 2016, Counsel began the process of obtaining balance verifications from all medical providers along with Medicare and Medicaid. Medicare only recently acknowledged

receipt of our letter requesting a subrogation balance on May 2, 2016. Based upon past experience with Medicare subrogation negotiations, Counsel will not have a balance for another 30-60 days.

4. After receipt of the subrogation balance from Medicare, Plaintiffs' Counsel anticipates having to justify exclusion of a number of covered medical procedures as not related to this settlement.

5. Plaintiffs' Counsel intends to seek forgiveness of Plaintiffs' subrogation requirements due to her disability and income status.

6. Counsel for the Parties have conferred on this extension of time (First Request) and are in agreement.

7. This request for an extension of time is not for purposes of delay or to prejudice any party.

IT IS HEREBY ORDERED ADJUDGED AND DECREED, that Plaintiffs shall have until August 11, 2016 to comply with the terms of the Court's Order on Defendant's Motion to Enforcement Settlement (Dkt. No. 82).

Dated: May 16, 2016.

UNITED STATES DISTRICT JUDGE